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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,425	11/17/2003	Hong Gi Chun	4547-0115P	2726
2292	7590	08/08/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			BHAT, ADITYA S	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/713,425	Applicant(s) CHUN, HONG GI	
	Examiner Aditya S. Bhat	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) 20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-16 is/are allowed.
- 6) ☐ Claim(s) 1,10-12 and 17-19 is/are rejected.
- 7) ☒ Claim(s) 2-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/26/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

Formal drawings were received on 16 May 2005. These drawings have been accepted.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Harman (USPN 5,446,4460).

A method of calibrating a system for detecting a location of a potential breach along a security fence, the method comprising the steps of:

providing a fiber optic cable along the security fence, with a light transmission and reception device attached to one end of the fiber optic cable; (Col.1, lines 60-63)

having a person move along the security fence, (Col.14, lines 9-10)

having the person interrupt light traveling through the fiber optic cable at a certain position; (Col.14, lines 6-17)

taking note of a ground distance between a reference point and the certain position; (Col.14, lines 6-17)

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sensing the interruption in the fiber optic cable at the light transmission and reception device (Col.14, lines 6-17)

determining an associated cable length existing between the light transmission and reception device and the interruption in the fiber optic cable, and (Col.14, lines 6-17)

recording the ground distance and the associated cable length in a memory. (Col.14, lines 14-15)

With regards to claim 10, Harman (USPN 5,446,4460) teaches the transmission and reception device is an ODTR. (Refer to figure 13)

With regards to claim 11, Harman (USPN 5,446,4460) teaches the reference point is the start of the security fence. (Col. 14, lines 18-29)

With regards to claim 12, Harman (USPN 5,446,4460) teaches having the person interrupt light traveling through the fiber optic cable at different certain positions at different ground distances, in order to record a table of linked values of ground distances and associated cable lengths in the memory. (Col.14, lines 6-17)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maki (USPUB 2005/0024210) in view of Alizi (USPN 5,434,557).

With regards to claim 17 Maki (USPUB 2005/0024210) teaches an operating method for a security fence monitoring system comprising.

constantly monitoring an output of a light transmission and reception device to determine a time delay of a light signal passing through a fiber optic cable attached to a security fence; (Page 1, paragraph 0012)

if the time delay varies outside of a threshold value, issuing an alarm signal, (Page 1-2, paragraph 0012)and

converting the time delay provided by the transceiver into a cable length value, (Page 4, paragraph 0037- 0038)

comparing the cable length value to a lookup table stored in a memory; (Page 4, paragraph 0037)

determining a zone of a potential breach point; (Page 1, paragraph 0012)and

calculating an approximate location of the potential breach within the zone, (Page 1, paragraph 0012)

With regards to claim 18, Maki (USPUB 2005/0024210) teaches the alarm signal causes activation of a visual or audible alarm device. (Page 1, paragraph 0005)

With regards to claim 19, Maki (USPUB 2005/0024210) teaches wherein the alarm signal and the zone of the potential breach point are sent to a remote monitoring station. (Page 5, paragraph 0051)

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Alizi (USPN 5,434,557) teaches the step of calculating the approximate location of the potential breach within the zone includes determining an average weave pattern density of the fiber optic cable for the zone. (See figure 1)

It would have been obvious to one skilled in the art at the time of the invention to modify Maki (USPUB 2005/0024210) with the Alizi (USPN 5,434,557) invention to include the above mention weave pattern to provide a fence that is extremely simple from a structural viewpoint security sensor system. (Col. 3, lines 16-17)

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter:

Claims 2-9, and 13-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 2, 6- 7, and 13-16:

The primary reason for the allowance of claim 2 is the inclusion of the method steps of: a second person receiving communications from the light transmission and reception device. It is this/these features found in the claim(s), as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this/these claim(s) allowable over the prior art.

The primary reason for the allowance of claim 6 is the inclusion of the method steps of: the second wireless communications device providing the ground distance to a controller, which stores the ground distance and the associated cable length in the memory. It is this/these features found in the claim(s), as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this/these claim(s) allowable over the prior art.

The primary reason for the allowance of claim 7 is the inclusion of the method steps of: connecting a second wireless communications device to the light transmission and reception device. It is this feature found in the claim, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 13 is the inclusion of a second wireless communications device receiving the ground distance from said first wireless communications device. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 3-5 and 8-9 are allowed due to their dependency on claim 2.

Claims 14-16 are allowed due to their dependency on claim 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed 16 May 2005 have been fully considered but they are not persuasive.

Applicant is reminded that during patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

While the meaning of claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allowed. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. In re Zletz, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

In this instance applicant argues that the prior art of record fails to show or suggest determining the ground distance to the intrusion (Col.14, lines 65-67), and taking note of the ground distance between the reference point and a certain position where a person interrupts light traveling in a security fence (Col. 14, Lines 10-11).

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maki et al. (USPUB 2005/0024208) teaches a compact security sensor system, Buckley et al. (USPN 6,646,563) teaches deflection sensors, and Perry (USPN 6,646,551) teaches a method and apparatus for improving the sensitivity of taut wire intrusion detection system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya Bhat
July 20, 2005


John Barlow
Supervisory Patent Examiner
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